

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE GOOGLE INC. COOKIE
PLACEMENT CONSUMER PRIVACY
LITIGATION

C.A. 12-MD-2358 (SLR)

This Document Relates to:
All Actions

**STIPULATION AND [PROPOSED] ORDER RE:
TIMING FOR BRIEFING ON MEDIA INNOVATION GROUP, LLC,
WPP PLC, AND VIBRANT MEDIA INC.'S MOTIONS TO DISMISS**

WHEREAS, this multidistrict litigation consists of 24 consolidated class actions assigned to this Court by the Judicial Panel on Multidistrict Litigation;

WHEREAS, Plaintiffs in the consolidated actions filed a 79-page consolidated amended complaint (“CAC”) on December 19, 2012, on behalf of a putative nationwide class of plaintiffs against defendants Media Innovation Group, LLC (“MIG”), WPP plc (“WPP”), and Vibrant Media Inc. (“Vibrant” and, together with MIG and WPP, the “Moving Defendants”) as well as Google, Inc. (“Google”) and PointRoll Inc.;

WHEREAS, the Moving Defendants will be responding to the CAC by filing motions to dismiss the CAC (the “Motions”) under Rule 12 of the Federal Rules of Civil Procedure;

WHEREAS, the Court’s Order dated October 25, 2012 (the “Scheduling Order”) imposes a deadline of January 22, 2013 for responses to the CAC;

WHEREAS, D. Del. LR 7.1.2(b) imposes a deadline of 14 days from the date of service of a motion to dismiss for response, and a deadline of 7 days for reply;

WHEREAS, Plaintiffs and Google filed a stipulation and proposed order on January 8, 2013, agreeing to, and requesting Court approval of, the modification of the time limits of D. Del. LR 7.1.2(b) as follows: Plaintiffs' response to Google's motion to dismiss shall be due on February 26, 2013, and Google's reply thereto shall be due on March 19, 2013;

WHEREAS, the Moving Defendants have requested an enlargement of the time to file the Motions and Plaintiffs have agreed to such request, provided that the remainder of the briefing schedule on the Motions is modified to the same extent as the briefing schedule on Google's motion to dismiss was modified, and provided further that the Moving Defendants waive any defense based on insufficiency of process or insufficiency of service of process;

WHEREAS, the parties have agreed that an enlargement of the times for the briefing of the Motions provided under the Scheduling Order and D. Del. LR 7.1.2(b) will enable the parties better to provide properly developed arguments beneficial to the Court in ruling upon the Motions, and a waiver of the Moving Defendants' defenses based on insufficiency of process or insufficiency of service of process will enable this matter to proceed more efficiently insofar as the Moving Defendants are concerned;

THEREFORE, IT IS STIPULATED AND AGREED by the undersigned parties, through their respective counsel of record, subject to approval by the Court, that:

1. The time limits of Fed. R. Civ. P. 12(a)(1)(A)(i) and D. Del. LR 7.1.2(b) be modified as follows: the Motions shall be due on February 22, 2013; Plaintiffs' responses to the Motions shall be due on March 29, 2013; and the Moving Defendants' replies thereto shall be due on April 19, 2013.

2. The Moving Defendants waive any defenses based on insufficiency of process or insufficiency of service of process (but reserve all other defenses) in the consolidated actions.

IT IS SO STIPULATED.

KEEFE BARTELS

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SO ORDERED on this ____ day January, 2013.

Hon. Sue L. Robinson
United States District Judge